



General Assembly

January Session, 2013

## ***Substitute Bill No. 5774***



### ***AN ACT ESTABLISHING A TAX CREDIT FOR SUPPORT OF EXTENDED LEARNING OPPORTUNITY PROGRAMS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective July 1, 2013, and applicable to income years*  
2       *commencing on or after January 1, 2013*) (a) As used in this section:

3       (1) "Taxpayer" means a person or business entity subject to tax  
4       under chapter 207, 208, 212 or 229 of the general statutes;

5       (2) "Income year" means, with respect to a person or business entity  
6       subject to the insurance premiums tax under chapter 207 of the general  
7       statutes, the corporation business tax under chapter 208 of the general  
8       statutes, the utility companies tax under chapter 212 of the general  
9       statutes or the income tax under chapter 229 of the general statutes, the  
10      income year as determined under each of said chapters, as the case  
11      may be; and

12      (3) "Extended learning opportunity program" means an  
13      extracurricular learning program sanctioned by a local or regional  
14      board of education pursuant to section 10-15 of the general statutes  
15      that provides academic, artistic, athletic or social education to students  
16      beyond normal school hours.

17      (b) (1) There is established an extended learning opportunity tax  
18      credit program whereby a taxpayer may be allowed a credit against

19 the tax imposed under chapter 207, 208, 212 or 229 of the general  
20 statutes, other than the liability imposed by section 12-707 of the  
21 general statutes.

22 (2) The tax credit shall be in an amount equal to one hundred per  
23 cent of the amount donated by such taxpayer to an extended learning  
24 opportunity program, provided (A) the credit shall not exceed fifty  
25 thousand dollars for any taxpayer, and (B) the total amount of credits  
26 granted to all taxpayers under this section shall not exceed two million  
27 dollars in any one fiscal year.

28 (3) The taxpayer shall claim the credit in the income year in which it  
29 is earned. Any credit not claimed by the taxpayer in an income year  
30 shall expire and shall not be refundable.

31 (c) If the taxpayer is an S corporation or an entity treated as a  
32 partnership for federal income tax purposes, the tax credit may be  
33 claimed by the shareholders or partners of such taxpayer. If the  
34 taxpayer is a single member limited liability company that is  
35 disregarded as an entity separate from its owner, the tax credit may be  
36 claimed by the limited liability company's owner.

37 (d) For tax credits claimed against the liability imposed by chapter  
38 229 of the general statutes, the amount of the tax credit allowed by this  
39 section shall not exceed the amount of tax due from the taxpayer under  
40 said chapter, other than section 12-707 of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2013, and applicable to income years commencing on or after January 1, 2013</i>	New section

**Statement of Legislative Commissioners:**

In section 1(d) the reference to section 12-207 was changed to 12-707 for accuracy.

**KID**      *Joint Favorable Subst. -LCO*